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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11

12 UNITED STATES OF AMERICA,

No. CR 05-671 WHA

13 Plaintiff,

**EX PARTE APPLICATION
TAKING PROGRESS REPORT
OFF CALENDAR**

14 v.
15

16 JAMES EDWARDS,

17 Defendant. _____/
18

19 I, Erik Babcock, declare as follows:

- 20 1. I am attorney of record for defendant Edwards. I am requesting an order
21 taking this matter off calendar.
22 2. Mr. Edwards has been under supervision for almost 5 years. During that time
23 he has not had a single violation and has had only positive progress reports.
24 The matter is currently on calendar tomorrow, June 21, 2011, for another
25 progress report.
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1 3. The undersigned counsel is in trial out of county and is unavailable tomorrow.

2 However, rather than continue this matter yet again, the undersigned requests
3 that it simply be taken off calendar. I spoke with his supervising probation
4 officer, Joshua Sparks, about this request, and he has no opposition to taking
5 this matter off calendar.
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7 4. I left a voicemail for AUSA Reese about this issue earlier today, but because
8 of the short notice I have not heard back from him. I am therefore filing this
9 request as an ex parte application rather than a proposed stipulation.
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11 I declare under penalty of perjury that the foregoing is true and correct. Executed this
12 20th day of June, at Eureka, California.
13

14 DATED: June 20, 2011

/S/Erik Babcock

ERIK BABCOCK

Attorney for Defendant

15 The status conference scheduled for June 21, 2011, at 2:00 p.m. is vacated.

16 SO ORDERED.
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19 DATED: June 21, 2011.



WILLIAM ALSUP

U.S. DISTRICT JUDGE
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